



Appeal Decision

Site visit made on 22 January 2024

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08.02.2024

Appeal Ref: APP/L5240/D/23/3329938

19 Palace Green, Croydon, CR0 9AJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Candice Montano against the decision of the Council of the London Borough of Croydon.
 - The application Ref 23/02136/HSE, dated 25 May 2023, was refused by notice dated 26 July 2023.
 - The development proposed was described as '*ground floor front porch, first floor side extension, floor plan redesign and all associated works*'.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a front porch, a first-floor side extension and installation of solar panels, erection of hip to gable and rear dormer, installation of 1 roof light to the front slope, and alterations to fenestration at 19 Palace Green, Croydon, CR0 9AJ in accordance with the terms of the application, Ref 23/02136/HSE, dated 25 May 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Site Location Plan at scale 1:1250; Drg Nos B168237-02-3000 Rev A, B168237-02-1100 Rev A and B168237-02-3100 Rev A, and the Planning Fire Safety Strategy May 2023.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matter

2. The appellant was granted a Certificate of Lawful Development (CLD Ref 23/01317/ LP) in May 2023 for development at the appeal property described as '*Erection of hip to gable and rear dormer and installation of 1 roof light to the front slope, installation of solar panel on the proposed dormer's roof*'. The description of the appeal proposal, which I have used in the banner heading above, is for a further side extension and front porch beyond that determined to be lawful but which, at the time of my visit, had not been constructed. The appeal application plans show the entirety of the works. I have therefore

considered the appeal accordingly, and have used an appropriate description in my formal decision, which is based upon that used by the Council on their decision notice and which was repeated by the appellant in their grounds of appeal.

Main Issue

3. The main issue is the effect of the proposal upon the character and appearance of the area.

Reasons

4. The appeal property is an end-of-terrace, two-storey dwelling with a hipped roof and single-storey side extension. Palace Green is a long residential no-through road that runs in a 'cigar-shaped' loop with a mix of detached, semi-detached and terraced properties around its perimeter and which face onto a central green.
5. I saw during my visit that most properties in Palace Green have retained their original hipped roofs. However, I saw that No 41 has clearly undergone a hip-to-gable change, and many others have obviously been extended to the side at two-storey in a variety of forms with varying degrees of subservience relative to the original building. It is clear that side extensions have successfully been assimilated into the area. Furthermore, I have no reason to doubt that were this appeal to fail, the property would be likely to be altered in line with the CLD. This likely 'fall-back' would markedly change the roof profile of the dwelling and short terrace of which it forms part. These factors are material considerations in my determination of this appeal to which I attribute significant weight.
6. The proposal would see the existing hipped roof profile of the dwelling change in line with the CLD, together with a newly proposed first-floor extension over the existing single-storey side projection and with a hipped roof over which would be pitched at an angle equivalent to the original roof. The first-floor side extension would be recessed such that the new formed 'faux' gable of the main roof would be discernible but only as a vertical break between the main body of the house and the side extension with virtually nothing of its side profile to be seen. In my assessment, the resulting composition of No 19 would be considerably more in-keeping and sympathetic to the composition of the existing dwelling and balance of the wider terrace than the likely 'fall-back' scenario. I find nothing about the proposal that would contribute to any excessive mass of building to the side of No 19, as has been suggested by the Council within the officer's report. This would imply that a first-floor extension would be inappropriate in this location, which would not be the case.
7. The Council has further criticised the proportions of the first-floor windows proposed on the extension, but there would be an obvious marriage between them and those that already exist at ground floor immediately below. The front porch would successfully integrate itself with the design of the dwelling, which is accepted by the Council, and the rear dormer would be constructed as established to be lawful.
8. Overall, the circumstances of this case lead me to conclude that there would be no significant change to the character or appearance of the street scene that would be harmful. Accordingly, there would be no conflict with Policy DM10 of

the Croydon Local Plan (CLP) adopted in 2018, particularly part DM10.7 which seeks to ensure development creates a high quality built environment, or with the similar requirements of CLP Policy SP4.1. For the same reasons there would be no conflict with Policy D3 of The London Plan 2021.

Conditions

9. In the event I allow the appeal, the Council has suggested a number of conditions. I have considered these having regard to the advice contained within the Planning Practice Guidance and the National Planning Policy Framework. A condition specifying the relevant plans and documents with which the scheme should accord is necessary as this provides certainty. The condition I have imposed includes reference to the submitted *Planning Fire Safety Strategy*, which formed part of the application proposal. This would ensure compliance with the requirement of Policy D12 of The London Plan for all development to achieve a high standard of fire safety. In the interests of maintaining the character and appearance of the area a condition is required to ensure that the proposal is finished with materials that would match the existing.
10. The Council has suggested a condition that would require a water butt to be installed on a downpipe attached to the roof of the development. However, although I note that the site is in an area identified to be at risk from surface water flooding, I have been presented with no evidence to suggest that the proposal would result in any increased surface water run-off that would need to be mitigated. Such a condition would therefore be unjustified.

Conclusion

11. For the reasons given, in the absence of any other conflict with the development plan, and having regard to all other matters raised, the appeal is allowed.

John D Allan

INSPECTOR